

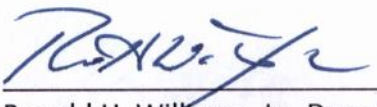


To the Honorable Council  
City of Norfolk, Virginia

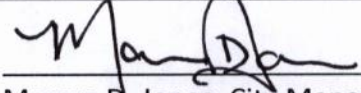
May 10, 2016

From: David L. Ricks, Director  
Department of Public Works

**Subject:** Amendment to the  
Comprehensive Agreement with  
S.B. Ballard Construction Company  
for Design and Construction of New  
Schools

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

**Ward/Superward:** Citywide

Approved:   
Marcus D. Jones, City Manager

**Item Number:**

**R-26**

I. **Recommendation:** Adopt ordinance

II. **Applicant:** City of Norfolk and S.B. Ballard Construction Company

III. **Description:**

The attached ordinance authorizes the City Manager to negotiate and execute an amendment to the Comprehensive Agreement between the City of Norfolk (the "City"), Norfolk Public Schools ("NPS") and S.B. Ballard Construction Company ("S.B. Ballard") for the purpose of adding the acquisition and installation of security camera systems for each of the five schools to the comprehensive agreement and to adjust the Project's budget to reflect the addition of the work.

IV. **Analysis**

The City and NPS desire to move funding from the NPS technology allowance to the Comprehensive Agreement for the acquisition and installation of security cameras for the five schools.

V. **Financial Impact**

Funds for the services that will be added to the Comprehensive Agreement have been included in the Capital Improvement Program.

VI. **Environmental**

N/A

**Agenda Overview**

Amendment to the Comprehensive Agreement with S.B. Ballard Construction Company for Design and Construction of New Schools

If approved, this agenda item authorizes the City Manager to negotiate and execute an amendment to the Comprehensive Agreement between the City of Norfolk, Norfolk Public Schools and S.B. Ballard Construction Company for the purpose of adding for the acquisition and installation of security camera systems for each of the five schools to the comprehensive agreement and to adjust the Project's budget to reflect such addition to the work. Approval is recommended.

Marcus, please approve text for Agenda Overview

☒ Approved

☐ Approved with changes

Form and Correctness Approved:



By

  
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By

DEPT.



## ORDINANCE No.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN AGREEMENT IN SUBSTANTIAL CONFORMITY WITH THE TERMS AND CONDITIONS OF AMENDMENT NO. 3 TO THE COMPREHENSIVE AGREEMENT BY AND BETWEEN THE CITY OF NORFOLK, NORFOLK PUBLIC SCHOOLS, AND S.B. BALLARD CONSTRUCTION COMPANY FOR THE DESIGN AND CONSTRUCTION OF FOUR SCHOOLS KNOWN AS CAMPOSTELLA K-8 SCHOOL, BROAD CREEK PK-5 SCHOOL, OCEAN VIEW PK-5 SCHOOL AND LARCHMONT PK-5 SCHOOL, WITH AN OPTION TO DESIGN AND BUILD CAMP ALLEN PK-5 SCHOOL TO RESTORE SECURITY CAMERA SYSTEMS, WHICH WERE REMOVED AS PART OF THE INFORMATION TECHNOLOGY FROM EACH OF THE SCHOOLS PURSUANT TO AMENDMENT NO. 2 TO THE COMPREHENSIVE AGREEMENT.

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WHEREAS, the City of Norfolk (the "City") and Norfolk Public Schools ("NPS"), collectively the "Owner", and S.B. Ballard Construction Company ("Ballard") entered into a Comprehensive Agreement for the design and construction of four schools known as Campostella K-8 School, Broad Creek PK-5 School, Ocean View PK-5 School and Larchmont PK-5 School, with an option to design and build Camp Allen PK-5 School, pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code § 56-575.1, et seq. ("PPEA") and the Guidelines adopted by the City pursuant to the PPEA (the "Comprehensive Agreement"); and



WHEREAS, the Owner and Ballard desire to amend the Comprehensive Agreement to restore security camera systems, which were removed from information technology for each of the schools pursuant to Amendment No. 2 to the Comprehensive Agreement; and

WHEREAS, the Owner desires to adjust the Projects' Budget attached to the Comprehensive Agreement as Exhibit C to reflect such action; now therefore

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the City Manager is authorized to negotiate and execute an amendment to the Comprehensive Agreement for the design and construction of four schools known as Campostella K-8 School, Broad Creek PK-5 School, Ocean View PK-5 School, and Larchmont PK-5 School, with an option to design and build Camp Allen PK-5 School in substantial conformity with the terms and conditions of the amendment which is attached hereto as Exhibit A ("Amendment").

Section 2:- That the City Manager and the other proper officers of the City are authorized to execute the Amendment on behalf of the City and to do all things necessary and proper to carry out its terms.

Section 3:- That this ordinance is in effect from and after its adoption.

**AMENDMENT NO. 3 TO THE COMPREHENSIVE AGREEMENT  
BETWEEN THE CITY OF NORFOLK, VIRGINIA, NORFOLK PUBLIC  
SCHOOLS AND S.B. BALLARD CONSTRUCTION COMPANY**

THIS AMENDMENT NO. 3 dated the \_\_\_\_ day of March, 2016 amends the COMPREHENSIVE AGREEMENT dated December 18, 2014, between the CITY OF NORFOLK, VIRGINIA (the "City") AND NORFOLK PUBLIC SCHOOLS ("NPS") (collectively, "the Owner"), and S.B. Ballard Construction Company ("S.B. Ballard" or "the Design-Builder") (the "Comprehensive Agreement"). The Owner and the Design-Builder are referred to individually as a "Party" and collectively as "the Parties".

WITNESSETH:

For and in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the Design-Builder agree as follows:

1. GENERAL SCOPE OF WORK. The Security Camera Systems, which were removed from the Comprehensive Agreement as part of the information technology, pursuant to Amendment # 2, are hereby restored as part of the work under the Comprehensive Agreement and each of the Design-Build Contracts.

2. PROJECTS' BUDGET. The Projects' Budget attached to the Comprehensive Agreement as Exhibit C is hereby replaced by the Projects' Budget attached hereto as Exhibit 1.

3. OTHER TERMS AND CONDITIONS. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this Amendment No 2 as of the day and year first above written.

**CITY OF NORFOLK**

By: \_\_\_\_\_  
Marcus D. Jones, City Manager

Attest:

\_\_\_\_\_  
City Clerk

Contents Approved:

\_\_\_\_\_  
Director of Public Works

Approved as to Form and Correctness:

\_\_\_\_\_  
Martha P. McGann, Deputy City Attorney

**NORFOLK PUBLIC SCHOOLS**

By: \_\_\_\_\_  
Dr. Melinda J. Boone, Superintendent

**S.B. BALLARD CONSTRUCTION COMPANY**

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Project Executive

Norfolk Public Schools – SBBCC PPEA Program  
Comprehensive Agreement Budget:

<u>Scope Description</u>	<u>Campostella</u>	<u>Broad Creek</u>	<u>Larchmont</u>	<u>Ocean View</u>	<u>Camp Allen</u>	<u>Totals</u>
Remaining Design	\$ 1,828,840	\$ 1,035,363	\$ 1,241,832	\$ 1,207,986	\$ 1,495,437	\$ 6,809,458
Construction	\$ 30,303,860	\$ 19,570,995	\$ 19,628,466	\$ 19,224,059	\$ 22,953,129	\$ 111,680,509
Contingency	\$ 550,000	\$ 366,472	\$ 813,466	\$ 766,648	\$ 729,807	\$ 3,226,393
Fees	\$ 1,592,582	\$ 970,110	\$ 991,518	\$ 982,803	\$ 1,265,193	\$ 5,802,206
Allowance Reduction	\$ (2,074,860)	\$ (1,251,817)	\$ (1,185,195)	\$ (1,178,922)		\$ (5,690,794)
Add Security Cameras	\$ 129,572	\$ 90,939	\$ 90,939	\$ 91,304	\$ 119,862	\$ 522,616
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Total Value Per School	\$ 32,329,994	\$ 20,782,062	\$ 21,581,026	\$ 21,093,878	\$ 26,563,428	\$ 122,350,388

Total Cost Value For All Schools = \$122,350,388